

COMMISSION ON VASAP QUARTERLY BOARD MEETING

Thursday, June 6, 2013

Minutes

Attendance:

Commission Members:

Senator Thomas K. Norment Jr.
Senator Richard L. Stuart
Delegate Jackson H. Miller
Delegate Richard L. Morris
Delegate David J. Toscano
The Honorable James F. Almand
The Honorable George W. Harris, Jr.
The Honorable George D. Varoutsos
Sheriff Michael L. Wade
Ms. Pat Eggleston
Ms. Mellie Randall
Mr. John Saunders
Mr. Roy-Keith Lloyd
Ms. Susan Marchon

Absent:

Delegate Salvatore R. Iaquinto, Chairman

Commission Staff:

Ms. Angela Coleman, Executive Director
Mr. Oscar Brinson, Legal Counsel
Mr. Christopher Morris
Ms. Charlene Motley
Ms. Linda Johnson
Ms. Sarah Morr

ASAP Directors:

Ms. Robyn Allen
Mr. Miles Bobbitt
Mr. Anthony Carmichael
Ms. Alicia Durrah
Ms. Mary Read Gillispie
Ms. Sabrina High
Mr. James Hatcher Johnson
Ms. Victoria Kesler
Mr. Daren Leake
Ms. Kathryn Van Patten
Mr. Kimball Peele
Ms. Carol Powell
Ms. Cindy Sheffield
Ms. Pam Simmons
Ms. Tara Smith

Guests:

Mr. Jason Ball
Mr. Jim Ballard
Mr. Charles Buffington, III
Ms. Lithia Carter
Ms. Debra Coffey
Mr. Chad Goodwin
Ms. John Honea
Ms. Michelle Mitchell
Major Brad Rinehimer
Mr. Coefield Silver
Mr. Meade Spotts
Ms. Courtney Stewart

Time and Place:

The quarterly meeting of the Commission on the Virginia Alcohol Safety Action Program (VASAP) was held on June 6, 2013 at the General Assembly Building 6th Floor Speaker's Conference Room. The meeting was called to order by Delegate Jackson H. Miller, Vice Chairman.

Welcome:

Delegate Miller welcomed and thanked everyone for attending the meeting.

Delegate Miller congratulated Delegate Salvador Iaquinto on his appointment as Judge for the Virginia Beach area.

Approval of Minutes:

A motion was made by Delegate Miller and properly seconded by Judge Harris to approve the minutes from the meeting on February 14, 2013. All were in favor.

Executive Finance Committee Report:

The Executive Finance Committee report was presented by Ms. Susan Marchon.

Ms. Marchon began by stating that the Executive Finance Committee met on June 5, 2013. Ms. Marchon thanked Ms. Keshana Lee for doing an "unbelievable job" assisting the team with the budget process. With her help, the budget process was the best it has ever been. Ms. Marchon also commended the VASAP Directors for doing a "fantastic job" preparing, updating and providing additional information for their respective budgets in a timely manner.

Ms. Marchon provided the Commission members with copies of the following budgets for their review and approval: Alexandria ASAP, Bull Run ASAP, Capital Area ASAP, Central Virginia ASAP, Dan River ASAP, District Nine ASAP, Fairfax ASAP, James River ASAP, John Tyler ASAP, New River Valley ASAP, Old Dominion ASAP, Piedmont ASAP, Rappahannock ASAP, Rockingham/Harrisonburg ASAP, Southeastern ASAP, Southside Virginia ASAP and Valley ASAP. Ms. Marchon stated these ASAPs have met all of the required standards for approval and they are not operating under a deficit. Delegate Toscano had questions concerning personnel changes and across the board pay raises for VASAP personnel. Ms. Marchon explained that some of the ASAPs operate where the locality is their fiscal agent and some ASAPs operate under a joint exercise of power, where the locality is not operating as the fiscal agent. In the case where the locality is operating as the fiscal agent, the ASAP, is required to budget for any salary related expenses or increases outlined in the localities budget. Ms. Marchon gave the example of the VRS increase that the General Assembly mandated to be covered by the localities. Some localities opted to add the 5% increase all at once and some

localities opted to implement the increase over a five year period. These contributions account for some of the differences in the amount of the employee's raise. Senator Norment asked Ms. Marchon who determines the level of compensation for VASAP employees. Ms. Marchon stated the local Board determines the salary and compensation. Ms. Marchon added there are three factors used to determine compensation: (1) location of the ASAP, (2) length of employment and (3) the size of the program and the number of referrals received, which dictates the amount of revenue generated by the program. The local Boards may use all of these factors when determining the level of compensation for their employees. Senator Norment asked Ms. Marchon what ASAP Programs had the largest number of referrals. Ms. Marchon stated that Fairfax had the largest, then John Tyler, Chesapeake Bay and Bull Run. Senator Stuart asked Ms. Marchon if all of the monies in the ASAPs budgets were derived from offender fees. Ms. Marchon stated "yes" all of the monies outlined in the budgets were derived totally from offenders. Ms. Marchon stated all of the ASAP budgets must be presented to the Policy Board and voted on for final approval by the Commission. Ms. Marchon stated budgets are derived by looking at anticipated revenue, Senator Stuart asked Ms. Marchon if the ASAPs generally tried to use all of their revenue. Ms. Marchon stated "yes" however, the total amount budgeted is based on looking at three years of historical data of referrals and maintaining three months of operating expenses in a reserve account to anticipate any decline in revenue. Senator Stuart wanted to know if there were any fixed costs to operate a VASAP Program. Ms. Marchon stated "no". The only fixed variable/standard is the fee paid by the offender, which is up to \$300 as outlined in the *Code of Virginia 18.2.27.1(B)*. This fee covers the cost of probation for one year. Offenders who have their case transferred to another state are still required to pay the \$300 fee to Virginia, due to the fact the offender is still being monitored by Virginia. Additionally, offenders are required to pay the additional \$300 fee to the state where the case is being transferred. The offender is not required to pay the \$100 intervention fee. This is standard practice in every state in the country. The intervention fee that is paid by the offender can be up to \$100. This fee covers the cost of providing educational services for every offender. The amount of the intervention fee was set forth and determined by the Commission. The intervention fee has not been increased since 1987. VASAP receives \$10 per month for every offender who is calibrated in the Ignition Interlock Program.

Senator Norment wanted to know how indigent offenders are handled. Ms. Marchon stated in most cases the Courts determine when an offender is indigent. However, the local ASAP can send a letter to the Court stating an offender meets the indigent criteria and request that the fees be waived. In Fredericksburg, Ms. Powell stated they provided \$100,000 worth of services to indigent offenders last year. Ms. Marchon stated we have received many questions throughout the years concerning the fees. However, the fees have not been increased even though the Directors have seen a tremendous increase in what is required of them and their staff. Ms. Marchon stated we have developed extremely efficient systems to manage the increase in requirements. In a way, ASAPs have to operate as a private business and manage solely off the revenue generated by the fees paid by offenders.

Senator Stuart had concerns about Judges routinely reducing a portion of the Court fines to allow offenders the ability to pay the VASAP fees. According to Senator Stuart, this is a real cost to the Commonwealth and the Literacy fund. Senator Stuart wanted to know if there was a model on how to run VASAP Programs at a fixed cost to reduce the loss of revenue to the Commonwealth. Ms. Coleman stated VASAP has given \$3.5 million dollars to the general fund since fiscal year 2009. Senator Stuart stated we need to be mindful of the fees being imposed on offenders. Ms. Marchon stated we routinely work with offenders to establish payment plans. However, there is no flexibility with the fees owed to DMV.

Senator Stuart had questions concerning the varying amounts budgeted for travel. Ms. Marchon stated ASAPs have different requirements for staff to be present in various Courts throughout their service areas. Due to distance and the amount of travel required to cover the service area, each ASAPs budgeted line item for travel will be different. Additionally, all staff training is included in this line item. Senator Stuart asked for clarification on the amount budgeted for John Tyler ASAP. Ms. Kesler stated John Tyler ASAP had one of the largest geographic areas to cover. One round trip to Emporia is 100 miles.

Mr. John Saunders had a question concerning the drop in salary cost for New River Valley ASAP and the Rappahannock ASAP. Ms. Marchon stated the lower salary amounts were due to her upcoming retirement as Director of the New River Valley ASAP and Carol Powell's retirement as Director of Rappahannock ASAP. The new Directors will be hired at a lower salary amount.

Ms. Marchon expressed her desire to conduct a training session during the September 12, 2013 Commission meeting outlining how the VASAP Programs operate. This training would be for the Commission members and the Directors. Delegate Miller stated he fully supports Ms. Marchon's willingness to provide training to the Commission and to the Directors. Delegate Miller stated Virginia ASAPs serve as national models around the country and receive kudos for efficiency and overall operation.

A motion was made by Sheriff Wade and properly seconded to approve the budgets for: Alexandria ASAP, Bull Run ASAP, Capital Area ASAP, Central Virginia ASAP, Dan River ASAP, District Nine ASAP, Fairfax ASAP, James River ASAP, John Tyler ASAP, New River Valley ASAP, Old Dominion ASAP, Piedmont ASAP, Rappahannock ASAP, Rockingham/Harrisonburg ASAP, Southeastern ASAP, Southside Virginia ASAP and Valley ASAP. All were in favor.

Ms. Marchon provided the Commission members with copies of the following budgets for their review and conditional approval: Arlington ASAP, Chesapeake Bay ASAP, Court Community Corrections ASAP, Mount Rogers ASAP, Peninsula ASAP, Southwest Virginia ASAP and Tri-River ASAP. Ms. Marchon stated budgets with unanswered questions require conditional certification until all issues and questions are answered.

A motion was made by Sheriff Wade and properly seconded to conditionally approve the budget for Arlington ASAP until the fee being charged to update Habitual Offenders records is resolved to the satisfaction of the Executive Finance Committee and at that time the Executive Finance Committee will have the authority to approve their budget. All were in favor.

A motion was made by Sheriff Wade and properly seconded to conditionally approve the budget for Mount Rogers ASAP until the issue of paying bonuses for employees is resolved to the satisfaction of the Executive Finance Committee and at that time the Executive Finance Committee will have the authority to approve their budget. All were in favor.

The Southwest Virginia ASAP is paying the full healthcare premiums for the employee and his or her family. The employee is required to write a check to the ASAP to cover the amount of the premium not covered by ASAP. The checks are then accounted for as revenue and run through the Inferno Data base system. The Executive Finance Committee is recommending this practice be eliminated and changed to a payroll deduction.

A motion was made by Sheriff Wade and properly seconded to conditionally approve the budget for Southwest Virginia ASAP until the health insurance payroll deduction issue is resolved. All were in favor.

A motion was made by Sheriff Wade and properly seconded to conditionally approve the budget for Tri-River ASAP until the issue of the omitted name on the budget summary sheet is resolved to the satisfaction of the Executive Finance Committee and at that time the Executive Finance Committee will have the authority to approve their budget. All were in favor.

Budget Amendments:

The Southeastern ASAP is requesting a budget amendment to the current budget in the amount of \$4,770.72 to cover the cost of retirement for one of their employees.

A motion was made by Sheriff Wade and properly seconded to approve a budget amendment for the Southeastern ASAP in the amount of \$4,770.72 to the current budget to cover the retirement of one of their employees. All were in favor.

Each month every ASAP is required to submit a monthly financial report. This report includes: money collected, expenditures and the total amount on hand in all accounts at the beginning and ending of each month. The Executive Finance Committee would like to require some additional supporting documentation to accompany the financial report.

Ms. Marchon presented the Commission with a proposal. This proposal is called the Financial Verification Policy. The policy states: Effective July 1, 2013, all monthly reports must be accompanied by bank statements from all accounts associated with the

ASAP. This includes, but is not limited to, CDs, operating and reserve accounts, investments and lines of credit.

Sheriff Wade asked Ms. Marchon when the financial report was due. Ms. Marchon stated the report is due on the 10th of the month. She assured Sheriff Wade that flexibility would be given to those ASAPs who had not received their bank statements by the time the reports are due.

Delegate Toscano wanted to know if ASAPs have CDs. Ms. Marchon stated "yes". Some ASAPs have over the years placed their 3-month reserves in CDs. Senator Stuart wanted to know if ASAPs have any investments and should the Commission allow them to. Senator Stuart had concerns by including the word investment in the policy, we could be inferring that ASAPs are allowed to have investments. Ms. Marchon stated the Commission could implement a policy prohibiting ASAPs from having investments. Senator Stuart is opposed to allowing ASAPs to have investments. Ms. Marchon agreed to strike the word "investment" from the policy. Sheriff Wade wanted to know if the ASAP buildings were considered investments. Ms. Marchon stated "no". Ms. Mellie Randall wanted to know how ASAPs handle retirement for employees. Ms. Marchon stated some ASAPs have private retirement accounts and some have VRS. Those ASAPs who have their localities as their fiscal agents, participate in VRS. ASAPs who do not have the locality as their fiscal agent have private accounts that are managed by the employee.

A motion was made by Delegate Toscano and properly seconded to approve the Financial Verification Policy with the following revision to strike the word "investment" from the policy. All were in favor.

Certification:

We have several ASAPs that received conditional certification based on issues discovered during the regular certification process. The certification process occurs every three years. Ms. Marchon stated there are several ASAPs that have ongoing issues that need to be discussed.

When the teams go into the ASAPs they pull and review a sampling of files. The team will pull and review 10% of the total number of client files. Ms. Marchon gave the following example: If an ASAP has 1,500 referrals, 10% would equate to 150 files being reviewed. When problems are found in the 150 files it is an indicator that problems will exist in additional files. When the team conducts a follow-up visit to determine if the issues have been resolved, the team reviews a different sampling of files. If the team continues to find the same problems as found in the initial review, it is clear that the plan of action to remedy the issues is not sufficient to resolve the issues.

At the last Commission meeting a team was appointed to go in and conduct a follow-up review of the Court Community Corrections Program and subsequent to that review meet

with their Board in person. On April 12, 2013 members of the review team met with the Board following a review by the certification team on April 11, 2013. During the team's visit on April 11, 2013 they found ongoing problems. The team only looked at new files of people who had been referred after these issues had been made apparent to the Director.

Ms. Marchon recommended continuing the conditional certification of Court Community Corrections until a more thorough management review is conducted. A management review will allow a more in-depth look at the program's areas of operation that were not looked at during the certification process. A management review looks at the ASAP program in totality. Ms. Marchon stated Delegate Miller would have to appoint a team to conduct the management review.

Judge Harris expressed concern and trepidation in allowing the program to continue to operate under conditional certification for an additional 60-90 days. Judge Harris stated the problems have not been corrected in five years, what would lead him to believe that they will be corrected in the future.

Mr. Oscar Brinson, Legal Counsel, stated additional information is needed under our regulations to take over a program. Mr. Brinson stated it cannot be determined at this time if this step is necessary. Some of the problems have been ongoing for five years and this is very disturbing. The management review may determine where the problems are. After the management review we can make a recommendation to the local Board that they take action. If they do not take action, we will have the authority to do what is necessary. We try to allow the local Boards to run their programs as long as they are run properly. We try not to be heavy handed when providing oversight. Additionally, Mr. Brinson noted significant improvements in the program had been made during the visit. Mr. Brinson stated we would be on shaky ground if we acted without conducting the management review.

Senator Stuart agreed that the management review would be the prudent course of action. Senator Stuart stated he was surprised that a vote by the Commission was needed before a management review could be done. Ms. Marchon stated she would like to have the authority to conduct a management review without having to have the Commission's approval. Mr. Brinson stated that this would be a policy change not a legislative change. A management review is a very serious step to take and that is why it has always required the approval of the Commission.

Senator Miller stated the vast majority of the ASAP divisions do a good job and this policy change allowing a management review without the approval of the Commission could be construed as a top down heavy approach and not allow the ASAP the opportunity to make improvements.

Judge Harris withdrew his objections to the management review.

A motion was made by Ms. Marchon and properly seconded to continue the conditional certification of Court Community Corrections and to conduct a management review to be presented during the next Commission meeting on September 6, 2013. Thirteen were in favor. Judge Harris voted nay.

Delegate Miller appointed the following people to the management review team: Ms. Mellie Randall, Mr. Roy-Keith Lloyd, Ms. Susan Marchon, Ms. Angela Coleman and Mr. Oscar Brinson.

The Chesapeake Bay ASAP has experienced significant issues for a very long time. The ongoing certification issues were presented to the local Board and the Director left. The team went in and found deplorable conditions. Ms. Marchon gave credit and thanked the Commission staff for taking control of the Program in the Director's absence. The Chesapeake ASAP is one of the largest ASAPs in the state. The majority of the ASAP Directors volunteered to go to Chesapeake Bay ASAP to provide training and support. Recently the team and Commission went back to see how the newly hired Director, Ms. High and the Assistant Director Ms. Stewart were doing.

Ms. Marchon stated the concern is since the people who were assisting the program have left a little progress has been made however, significant problems persist. Ms. Marchon stated another management review is not recommended at this time. Ms. Marchon stated she is recommending the conditional certification be continued until the next Commission meeting on September 12, 2013. A copy of the report detailing the deficiencies was presented to their Board Chairman. The Board Chairman has been personally contacted and he is extremely upset about the report. Their Board is very active and in the past they have taken immediate action when necessary. Ms. Marchon stated the newly hired Director and Assistant Director have made progress; however they have only been in their respective positions for six months. The problems are so significant she is uncertain if they have had adequate time to resolve all of the issues or if the issues are just continuing to deteriorate. Ms. Marchon stated she is recommending and asking for a response from their Board within the next fifteen days. Due to the problems being so significant, she is also requesting a special meeting to be scheduled before the next Commission meeting on September 12, 2013 to deal with this issue and one other issue.

Ms. Marchon made a motion and it was properly seconded to continue the conditional certification of the Chesapeake Bay ASAP until the special meeting with the full Commission is called and the ASAP be required to provide a response to the report within fifteen days and we would review their response at the special meeting and determine what action should be taken. All were in favor.

Due to the representatives from Smart Start having to leave to catch their flights, Delegate Miller requested permission to go out of order on the agenda.

Mr. Christopher Morris gave the following report to the Commission concerning Smart Start: The Commission on VASAP staff has received ten Smart Start complaints since February 13, 2013 Commission meeting.

Interlock equipment issues related to faulty data loggers, head units, curly cords resulting on lost calibration data and/or battery failure have drastically decreased since Smart Start released their new firmware on January 28, 2013. Since the last Commission meeting, three missing data cases have been verified and in each instance the client had not yet upgraded to the new firmware.

Issues related to improper installation and removal of the ignition interlock device have decreased. Two verified instances have occurred since the Commission meeting.

Smart Start has come into compliance with all other issues related to technician professionalism, general customer service, service facility requirements, and accurately setting the interlock fail point of .02% BAC on their interlock device.

Mr. John Honea, State Director has established himself in the State and he has a good rapport with staff. With the training of the technicians and the upgraded firmware, Mr. Morris stated Smart Start has a really good grasp on the issues and most of the previous issues have been eliminated.

Mr. Jim Ballard, President and CEO of Smart Start, apologized to the Commission. Mr. Ballard stated significant strides have been made. Smart Start has made a lot of changes locally, management changes, product changes and corporate changes. Mr. Ballard assured the Commission if they are taken off of probation they will not lose focus and "drop the ball".

Senator Norment asked Ms. Marchon what does being on probation preclude Smart Start from doing. Ms. Marchon stated that being placed on probation is significant. When a vendor is placed on probation every State in which they operate in is notified of their probationary status. Following the action taken by the Commission, Mrs. Coleman was invited to attend a meeting in Dallas to specifically deal with ignition interlock. Many representatives from other States thanked Ms. Coleman for taking this action. This action made Virginia be recognized in a nationwide light. Ms. Marchon stated a lesson learned for Smart Start and other vendors is the Commission can and will take action when necessary.

Ms. Marchon made a motion and it was properly seconded to remove Smart Start from their probationary status in the State of Virginia. All were in favor.

Ignition Interlock Status Report

2013 New Installed Interlocks

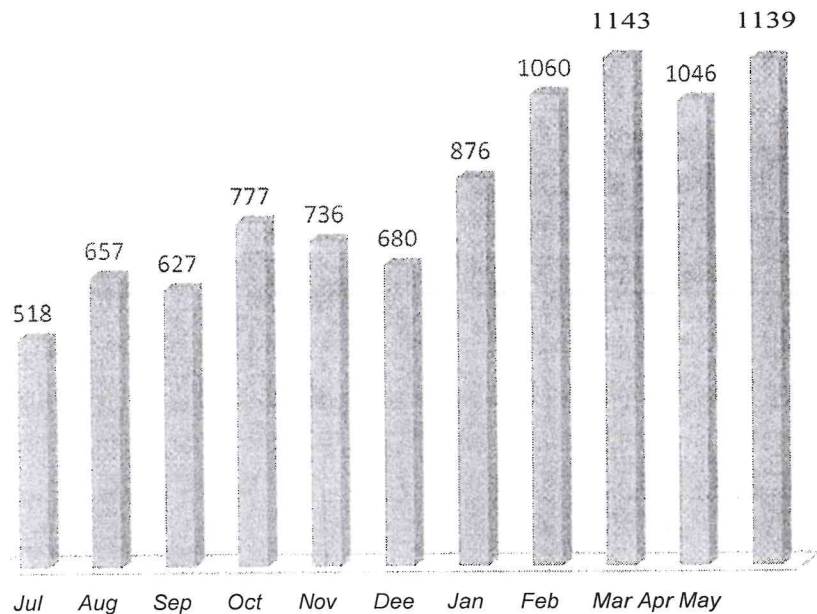
ALCOLOCK
22 Service Facilities
7.2 Market Share

LifeSafer
24 Service Facilities
15.7 Market Share

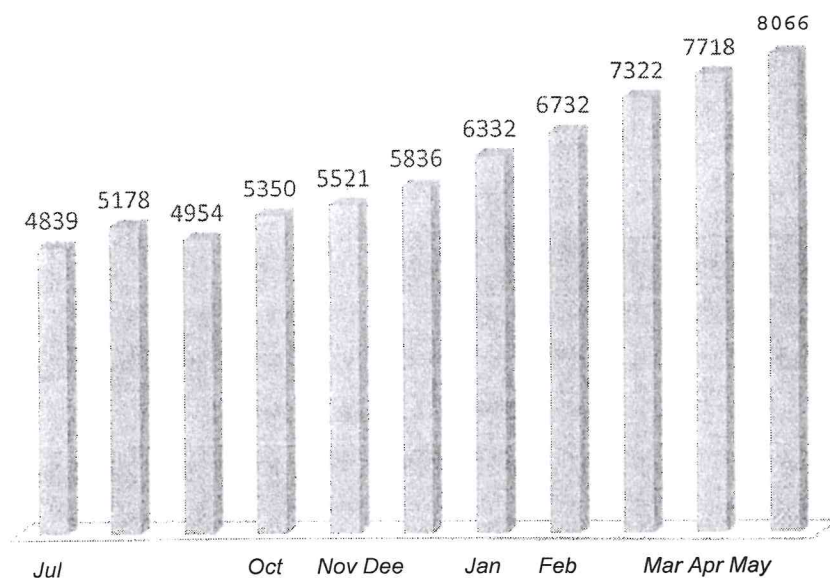
Smart Start
24 Service Facilities
30.1 Market Share

Drager
26 Service Facilities
47 Market Share

Complaints
There have been 26 total complaints received since the last Commission meeting on February 13, 2013. This equals a 0.003 complaint ratio when compared to the number of currently installed interlock devices.



2013 Monthly Interlock Numbers



Senator Stuart wanted to know if we had seen a remarkable reduction in the recidivism rate since the law changed on July 1, 2012 requiring first time offenders to have the ignition interlock installed in their vehicles. Ms. Marchon stated it is too early to tell. Many of these offenders are still on probation or are in the process of completing their probation. Ms. Marchon stated most Judges sentenced offenders under this statute after the July 1st date. Ms. Marchon stated according to the vendor this law change has had an impact on offenders.

Each year every ASAP is audited by an audit firm that is selected by the Commission through the RFP process. This year during the audit of fiscal year 2012, which covers the time period from July 1, 2011- June 30, 2012. The program did not record all the year-end adjusting entries in the general ledger. Cash balances held in banks and with the fiscal agent are not being reconciled on a monthly basis to the general ledger. This resulted in incorrect cash balances being reported to the Commission in the approximate amount of \$60,000.

Alicia Durrah, Peninsula ASAP Director and members of their Board were present and were introduced by Ms. Marchon. Ms. Marchon stated Ms. Durrah was not the Director during the time period that the financial reports were prepared and submitted to the Commission. Ms. Durrah was hired in January 2013. The Director who was there was Ms. Kathryn Hall, who is now retired. Ms. Durrah to her credit has been working diligently with her Board to try and figure out what happened to cause such a huge discrepancy. Ms. Marchon stated we still don't know and we still don't have a clear understanding of where they stand. This is one of the reasons we are requesting a special meeting.

Delegate Morris wanted to know "how" they thought they had \$60, 000 more than they did. Ms. Marchon stated that was a good question and she did not have an answer.

Ms. Marchon stated at this time she is recommending a special meeting of the full Commission and a team needs to go in. Ms. Marchon stated dates had already been selected for the team to go on site.

Delegate Morris asked Ms. Marchon when the last time an outside audit was conducted. Ms. Marchon stated audits are only done at the request of the Commission and the last audit was completed in April 2013. Ms. Coleman stated the firm of Goodman and Associates was awarded the contract to perform independent audits for all of the 24 local ASAPs. Ms. Coleman stated when she received a copy of the results of the audit report in late April, Ms. Durrah and her Policy Board were notified of the findings.

Sheriff Wade asked if the audit report made any determination where the money had gone. Ms. Coleman stated that the audit report only contained information that the financial records were not being reconciled. Ms. Coleman stated both the Executive Finance Committee and Ms. Durrah had been pouring over the records trying to determine what has happened. Sheriff Wade responded by saying is this an accounting problem or a missing money problem. Ms. Marchon stated "we don't know".

Lithia Carter, Peninsula ASAP Policy Board Chairman thanked the Commission for inviting them to the meeting and for bringing this matter to their attention. Ms. Carter stated she does not believe this is a matter of missing money. The Board is currently actively reconciling all financial statements for the past year. Updated monthly financial reports have been submitted to Ms. Coleman and the Board has drafted a nine point action plan. The Board is working with the City of Newport News to include their budget information in the city's accounting software system. Ms. Carter stated the Board believes they are headed in the right direction. Ms. Carter stated that this has taught the Policy Board that they need someone on their team who is fiscally strong and they have learned more through this process than ever before. The Board is taking measures to ensure they have enough revenue. The Board like the Commission would like to know how this happened. Ms. Carter stated the Board is so thankful for Ms. Durrah. She has proven to have a strong financial background, and we know we are headed in the right direction. Ms. Carter stated we need a management review; we need the involvement of the Commission because we want to be transparent and we want everyone to know we can pay our bills and we are solvent.

Executive Session

It was moved that Members of the Commission convene in Closed Meeting under the *Code of Virginia*, pursuant to Section 2.2.3711(A)(7) to discuss legal issues specifically those matters related to Peninsula ASAP. The motion was seconded and unanimously passed.

Return to Open Session

Delegate Miller moved to certify the roll-call vote stating that only legal matters were discussed during the Closed Meeting.

The motion was seconded and the Commission Members voted as follows:

| | |
|------------------------------------|--------|
| Delegate Jackson H. Miller..... | Yes |
| Senator Thomas K. Norment..... | Yes |
| Senator Richard H. Stuart..... | Yes |
| Delegate Richard L. Morris | Yes |
| Delegate David J. Toscano..... | Yes |
| Honorable George D. Varoutsos..... | Yes |
| Honorable James F. Almand..... | Yes |
| Honorable George W. Harris Jr..... | Yes |
| Sheriff Michael L. Wade..... | Absent |
| Mr. John Saunders..... | Yes |
| Ms. Mellie Randall..... | Yes |
| Ms. Pat Eggleston..... | Yes |
| Ms. Susan E. Marchon..... | Yes |
| Mr. Roy Keith Lloyd..... | Yes |

The following actions were taken as a result of the Closed Meeting:

Senator Norment made a motion and it was properly seconded that we accept the offer of the City of Newport News to advance the funds to pay the salaries (payroll) only of the staff at the Peninsula ASAP and should it continue beyond one month then the Executive Finance Committee is authorized to make a determination whether or not to advance funds with the understanding that the funds will be repaid. All were in favor.

Ms. Marchon made the motion and it was properly seconded that Delegate Miller appoint a team to go into the Peninsula ASAP to conduct a management review to make recommendations to the Board of the Peninsula ASAP for any changes that should be made and report back to the Commission. All were in favor.

Delegate Miller appointed the following people to the Management Review Team:

Sheriff Michael L. Wade
Mr. John Saunders
Ms. Susan Marchon
Ms. Angela Coleman
Mr. Oscar Brinson

The management review is scheduled for June 25, 2013.

Judge Almand made the following motion and it was properly seconded to request the Virginia State Police to conduct an investigation and audit of the Peninsula ASAP in regard to discrepancies in their funding, revenue and accounts. All were in favor.

Delegate Miller stated that if required, the date for the special meeting will be selected within the next couple of days and the dates will be presented to the Commission.

Executive Director's Report

Ms. Coleman welcomed everyone and thanked them for coming. Ms. Coleman announced the annual Commission on VASAP 2013 Training Conference is scheduled for September. Ms. Coleman stated the conference is where we bring all of the Commission members, Case Managers from the local Programs and members of the Policy Boards to one location for training. The training is subsidized by a NHTSA grant that we applied for through the DMV office of Highway Safety. The training conference is scheduled for September 16-17, 2013 at the Hilton Richmond Hotel at Short Pump, 12042 West Broad Street, Richmond, Virginia 23233. Ms. Coleman stated that all aspects of the conference will be conducted within state guidelines and state per diem rates. Ms. Coleman encouraged the Commission members to attend if their schedules permit.

Ignition interlock training will involve training of our move towards electronic submission of ignition interlock forms. The first training date is scheduled for October 3, 2013 and will be conducted regionally. We are branching out to have more regional training to make sure staff is able to attend and to minimize the cost to the Directors. Ms. Coleman stated it is important that all staff attend. The electronic records for ignition interlock is going to be very important for the Agency and will help to better monitor ignition interlock cases and allow for timely submissions.

Ms. Coleman publicly acknowledged and thanked the entire Commission staff for all of their hard work.

VASAPDA REPORT (ASAP Director's Association)

Mr. Peele stated one of the duties as President of the Virginia Alcohol Safety Program Director's Association (VASAPDA) is to regularly remind the Commission Members of the good steady work that goes on everyday in the local programs across the state. We see hundreds of people everyday. This reminder is especially important today because we have discussed some negative aspects of some program operations.

Being an ASAP Director is a complicated job. It requires hard work, putting in extra hours and dedication to our mission which is saving lives and preventing drunk driving. We recognize the value of the oversight function. When problems are identified, they are promptly acted on.

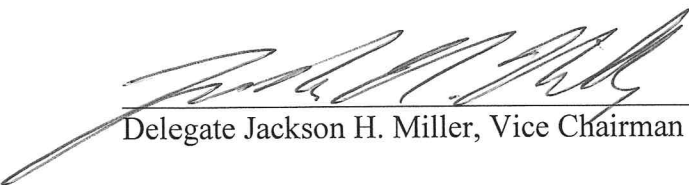
Since the last Commission meeting in February hundreds of clients have been dealt with successfully everyday without any management or financial problems. The Directors ask that you please keep in mind that the local programs overwhelmingly continue to participate and maintain one of the strongest DUI programs in the Country.

Meeting Dates:

| | |
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| September 12, 2013 | 10:00 am |
| December 5, 2013 | 10:00 am |

Adjournment:

The meeting was adjourned by Delegate Jackson Miller.



Delegate Jackson H. Miller, Vice Chairman